

Public Notice
Designtec of Kentucky
Frankfort, Franklin County, Kentucky
Tentative Decision to Approve a Corrective Action Plan
EPA ID# KYD-000-444-855, AI#47633

The Kentucky Environmental and Public Protection Cabinet (Cabinet), Division of Waste Management (Division) has reached a tentative decision to approve the final remedy for Designtec of Kentucky Incorporated, which includes use of an Environmental Covenant. An Environmental Covenant restricts the use of the property due to environmental conditions, and is filed with the County land records. The facility is located at 2663 Evergreen Road Frankfort, Franklin County, Kentucky. The facility's designated contact person is Richard Christ at (270) 684-2339.

Why does Designtec of Kentucky Inc. need an Environmental Covenant?

The Resources Conservation and Recovery Act's Hazardous Waste Program allows companies the option to restrict land use as a final remedy utilizing KRS 224.80. In the case with Designtec, contaminant levels in shallow soils at a portion of the property may exceed residential levels but are below allowable industrial levels. Benzene concentrations underneath the concrete slab of a building exceed allowable industrial levels. Designtec has chosen to restrict the land use in the potentially impacted area. The area that potentially exceeds residential concentrations has been surveyed and will be recorded into the Franklin County Records, assuming final approval of this remedy. The restrictions will run with the surveyed property in perpetuity or until the land owner can demonstrate that the property conditions meet the standards of residential use. The purpose of the Environmental Covenant is to make certain that any operations and future land use at the site comply with regulatory requirements and remain protective of human health and the environment. The owner of the property being restricted shall verify property use on an annual basis.

Where can I review the documents used to make this tentative decision?

Division of Waste Management	Paul Sawyer Public Library
200 Fair Oaks	316 Wapping Street
Frankfort, KY 40601	Frankfort KY 40601
Point of contact: Tina Fisher	Contact: Jaci West
(502)564-6716 (fax) (502)564-9232	(502)352-2665 ext 100
Email: tina.fisher@ky.gov	Hours of Operation:
Hours of Operation:	Monday-Thursday: 9:00am-8:00pm
Monday – Friday: 8:00am –4:30pm	Friday: 9:00am-6:00pm

To make an appointment, submit a written request at least 72 hours prior to the desired review date. Copying charges are **\$.10** cents per page, and \$3 for each map. Upon request, this information can be made available in alternative formats by contacting Kelly Neal, 200 Fair Oaks Lane, Frankfort, KY 40601 or Kelly.Neal@ky.gov.

How can I tell Kentucky Division of Waste Management what I think about this tentative approval?

The Cabinet encourages public involvement and welcomes comments. Anyone wishing to comment or request a hearing on our tentative approval should submit their comments to the Cabinet on or before midnight, April 2, 2009, the close of the public comment period.

Electronic comments should be submitted to Kelly.Neal@ky.gov or mailed to April J. Webb, PE, Manager, Hazardous Waste Branch, Division of Waste Management, 200 Fair Oaks, Frankfort, KY 40601, (502) 564-6716, ext. 4699. The AI# 47633 should be included with any comments.

What will the Cabinet do with the comments?

All comments received by April 2, 2009 will be considered when making a final decision. Anyone submitting comments will be mailed a “response to public comments” document specifying any changes made or not made, with reasons why, as a result of the comment(s) submitted.

Any person who may be aggrieved by the final decision may file a petition with the Cabinet that sets forth the grounds of the objection and demands a hearing pursuant to KRS 224.10-420(2).

The Division of Waste Management does not discriminate on the basis of race, age, religion, sexual orientation or gender identity, ancestry, age, disability, or veteran status. The division provides, on request, reasonable accommodations necessary to afford an individual with a disability an equal opportunity to participate in all services, programs and activities. To request materials in an alternate format, contact Kelly Neal at (502) 564-6716, ext. 4864 or Kelly.Neal@ky.gov.